S.B.Cr.Misc. Bail App. No.4405/2007

(Chanan Ram vs. State of Rajasthan)

Date of order : September 26, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.J.S.Khichi, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the challan papers.

It is contended by the learned counsel for the petitioner that mainly allegation of harassing the deceased in connection with demand of Rs.10,000/- is against Ashok Kumar, husband of the deceased. In Parcha Bayan, the author of the FIR stated that the husband of the deceased used to demand a sum of Rs.10,000/-, else she was threatened to be murdered. It is further contended by the learned counsel for the petitioner that cause of death has not been ascertained, even Medical Board could not reach to the conclusion as to what was the cause of death. The deceased was suffering from various ailments and according to the learned counsel for the petitioner, she died because of ailments.

Be that as it may, without commenting on the merit of the case, which may prejudice the case of either party at the trial, having regard to the facts and circumstances of the case and the fact that mainly allegation is against Ashok Kumar, husband of the deceased, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Chanan Ram s/o Khattu Ram be released on bail in FIR No.272/2007, P.S. Tibbi, Distt. Hanumangarh provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-